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J. P. DAVIES & CO., Auctioneers.

VALUABLE PROPERTY

IN THE

CITY OF VICTORIA

AND

Districts of Victoria, New Westminster, Sooke and Hope.

IN THE

SUPREME COURT OF BRITISH COLUMBIA,

Pursuant to an Order made in an Action

NAYLOR v. JACKSON AND OTHERS,

With the approbation of the Judge, I will sell at Salesroom, Wharf Street, on

WEDNESDAY, MAY 11th, 1887,

AT NOON.

The Freehold and other Property

Belonging to the Estate of the late HENRY RHODES, Esq.

☞ Particulars and conditions of sale contained herein.

JOSHUA DAVIES, Auctioneer.

THE COLONIST PRINT.

PROVINCIAL ARCHIVES OF B

In the Supreme Court of British Columbia.

Between JOHN NAYLOR, *Plaintiff*,

AND

ROBERT EDWIN JACKSON, ISRAEL WOOD POWELL, AUGUSTUS RUPERT GREEN, AND HARRY RHODES, *Defendants*.

Particulars and Conditions of Sale of certain freehold property situate in the City and District of Victoria, and elsewhere in the Province of British Columbia which will be sold by auction by Mr. Joshua Davies, with the approbation of the Honorable Mr. Justice Crease, the Judge to whom this action is attached, pursuant to the order herein dated the eighth day of March, 1883, and a further order dated the fourteenth day of March, 1887, at the auctioneer's salesroom, Wharf street, Victoria, on Wednesday the eleventh day of May, 1887, at noon, in twelve lots.

Particulars and conditions of sale may be had gratis of Mr. Charles Wilson Broughton street, Victoria, Solicitor; of Messrs. J. P. Davies & Co., of Wharf street, Victoria, Auctioneers, and at the place of sale.

CHATHAM STREET.

LOT 1.—A freehold plot of land, with dwelling house thereon, situate in the City of Victoria aforesaid, parcel of Suburban Five-acre Lot 11 (Two), having a frontage of 120 feet on the southern side of Chatham street, extending thence at right angles 130 feet more or less, to the southern boundary of the said suburban Five-acre Lot 11, and bounded on the west by the other land, parcel of the same lot, formerly the property of J. E. Chapman.

The dwelling house is large and commodious, and contains eight rooms, and the usual outbuildings. and is now in the occupation of a monthly tenant, at the nominal rent of fifteen dollars

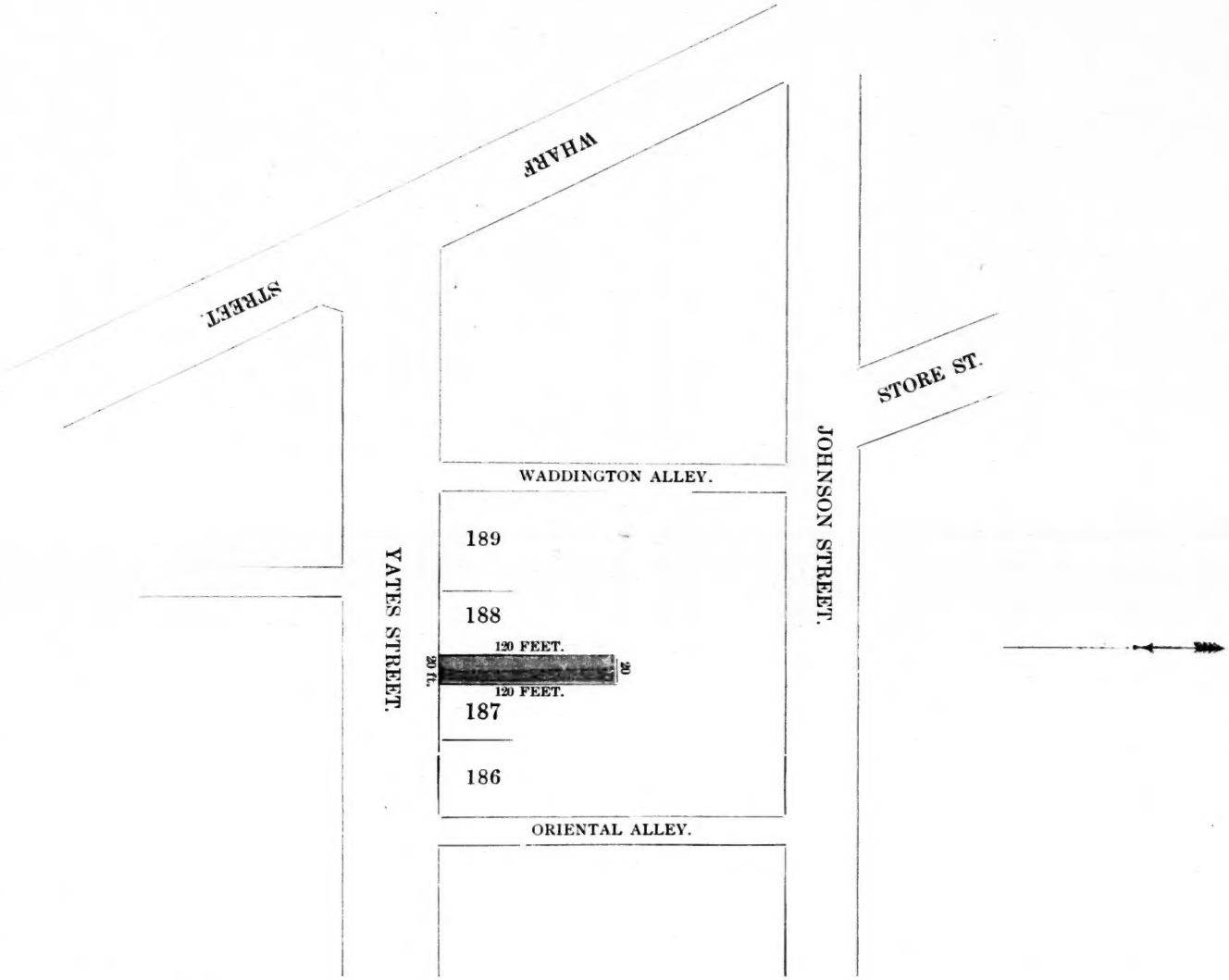
This lot will be sold subject to a mortgage to secure payment of the principal sum of $3000; the interest thereon has been paid to the last date for the payment thereof.

PEMBROKE
STREET.
174 Ft.
221 7 Ft.
336 6/100 Ft.
1 34/100 A.
1 69/100 A.
5 ACRE
LOT
No. 1.
No.
5 ACRE
QUADRA
STREET.
CHATHAM
120 Ft.
132 Ft.
LOT
II.
120 Ft.
STREET.
BLANCKARD AVENUE.
DISCOVERY ST.
CHATHAM ST.
HERALD ST.

YATES STREET.

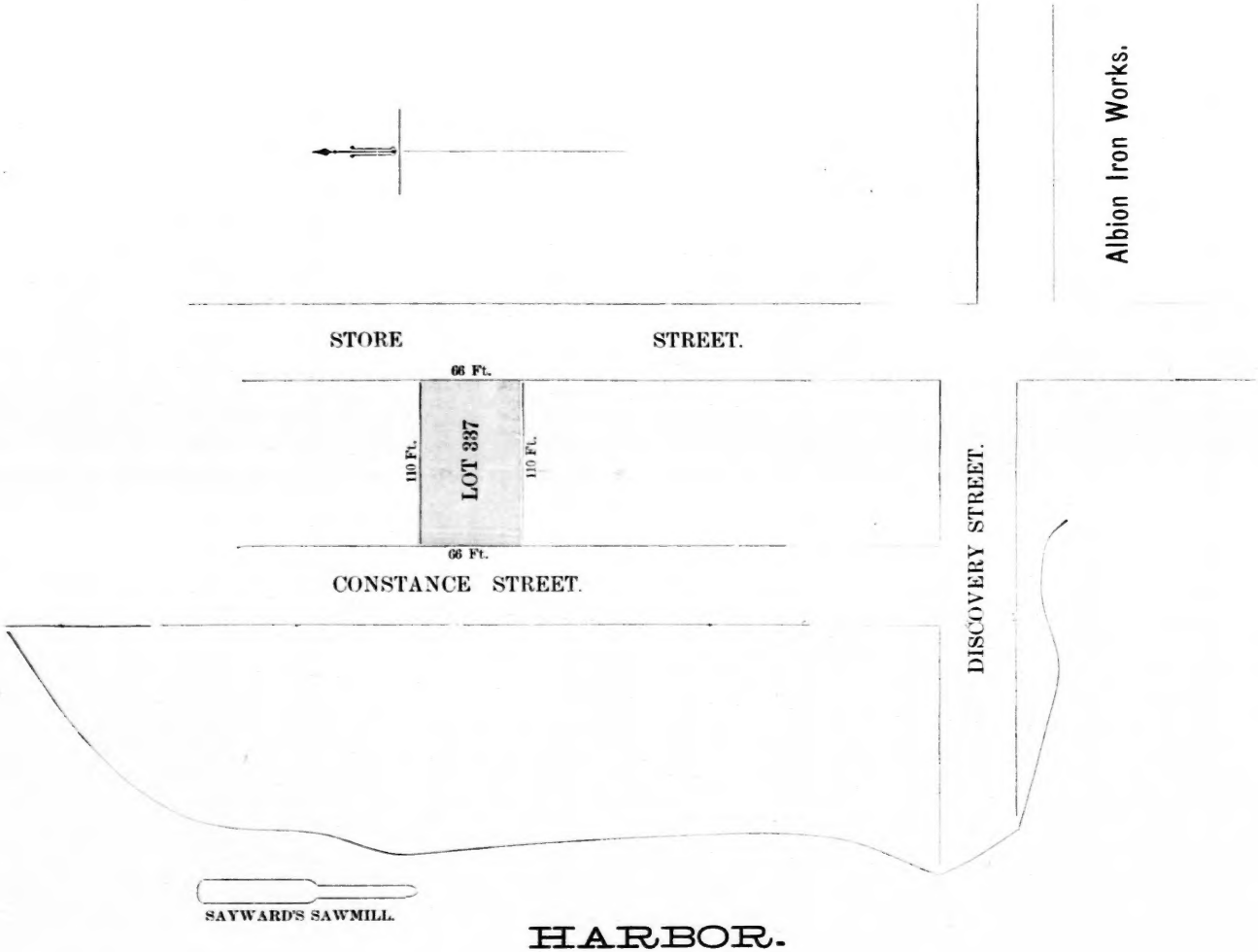
Lot 2.—A freehold plot of land, with the brick building thereon, situate on the northern side of Yates street, in the City of Victoria aforesaid, having a frontage to said street of twenty feet, and extending thence at right angles northwardly 120 feet, being the western portion of Victoria Town Lot No. 187, together with the two-story brick building now occupied by Capt. W. R. Clarke, at a nominal monthly rent of thirty dollars.

This lot will be sold subject to a mortgage to secure payment of the principal sum of $4000, interest on which has been paid up to the last date for the payment thereof.


JOHNSON STREET.
STORE ST.
YATES STREET.
WADDINGTON ALLEY.
189
188
120 FEET.
20 ft.
20
120 FEET.
187
186
ORIENTAL ALLEY.
WHARF
STREET.

CONSTANCE STREET.

Town Lot 337, having frontages on Constance and Store streets of 66 feet by a depth of 110 feet. This property is desirable for a manufacturing business, have frontages on two streets in the neighborhood of the lumber and foundry industries.


Albion Iron Works.
STORE STREET.
66 Ft.
110 Ft.
LOT 337
110 Ft.
66 Ft.
CONSTANCE STREET.
DISCOVERY STREET.
SAYWARD'S SAWMILL.
HARBOR.

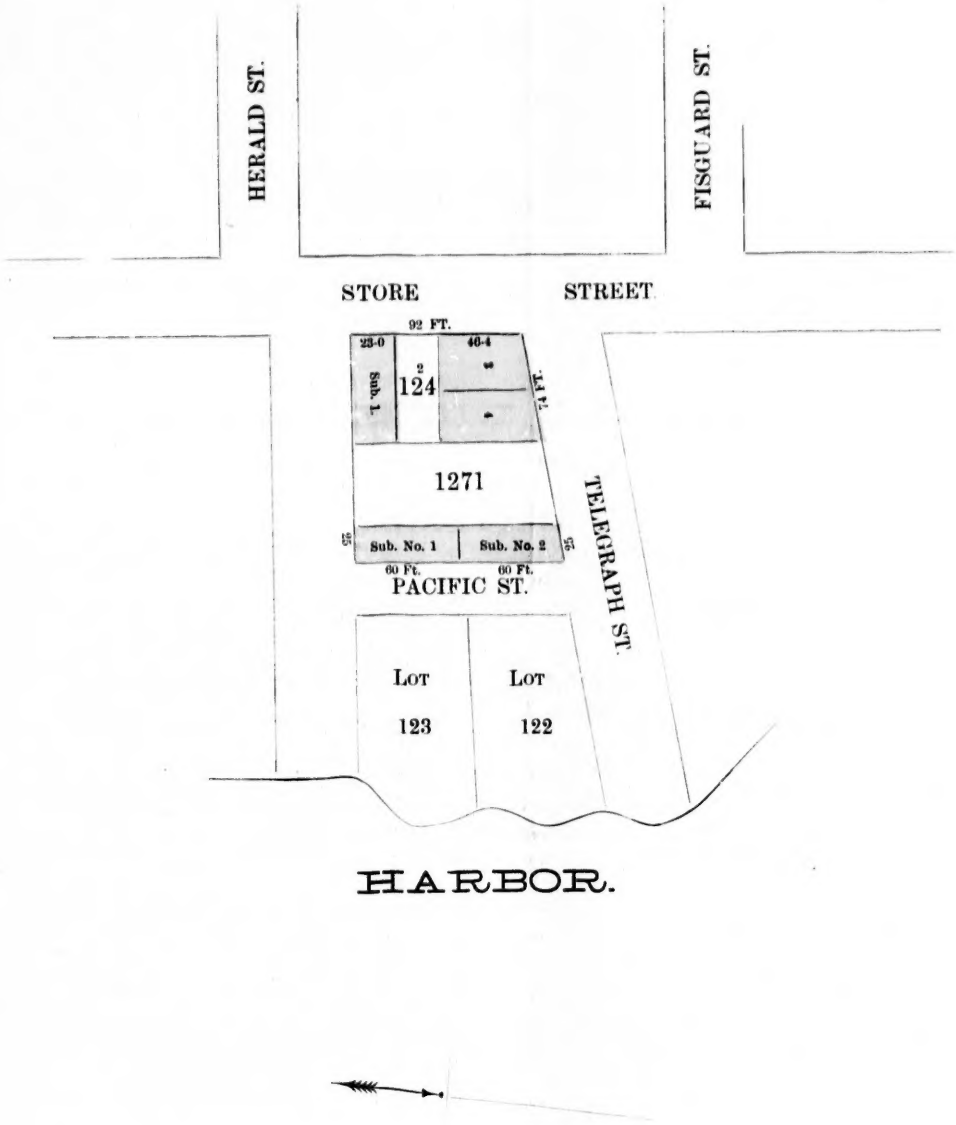
Pacific, Telegraph and Store Streets.

LOT 4.—A freehold plot of land, being Subdivision No. 1 of Town Lot No. 123, Victoria City, bounded and described as follows: Commencing at a point on the northeast corner of said Lot No. 123, and running thence westerly on the line of a street not named 25 feet to the corner of Pacific street; thence at right angles on the easterly line to said Pacific street southerly 60 feet, more or less; thence at right angles, running easterly 25 feet; thence at right angles, running northerly 60 feet, to the point of commencement.

LOT 5.—A freehold plot of land adjoining said portion of Lot 123, being Subdivision No. 2 of Town Lot No. 122, Victoria City, bounded and described as follows: Commencing at a point on the southeast corner of Town Lot 122, and running thence westwardly on the line of a street not named 25 feet to the corner of Pacific street; thence at right angles, running northwardly along the east line of said Pacific street 60 feet, more or less; thence at right angles eastwardly 25 feet to the easterly line of said Town Lot No. 122; thence at right angles, running southerly, to the point of commencement.

LOT 6.—A freehold plot of land in the City of Victoria, being Subdivision No. 1 of Town Lot No. 124, bounded and described as follows: Commencing at a point on the northeast corner of the said Lot No. 124, where Store street intersects a street not named on the official map; thence running south on the westerly line of Store street 23 feet; thence at right angles westerly 74 feet 7 inches to the westerly line of said Lot No. 124; thence at right angles, running northerly, 23 feet to the southerly line of said unnamed street; thence easterly to the place of beginning.

LOT 7.—A freehold plot of land in the City of Victoria, being the southerly portion of Town Lot No. 124, known as Subdivisions 3 and 4, bounded and described as follows: Commencing at a point on the southeast corner of the said Town Lot, which corner is the northwesterly intersection of Store street and another street not named running to the water's edge; thence running northwardly 46 feet 4 inches; thence at right angles westwardly 74 feet 4 inches; thence at right angles along the westerly line of said lot 59 feet 4 inches to the line of the street not named; thence easterly along said northerly line of said street 74 feet to place of beginning.

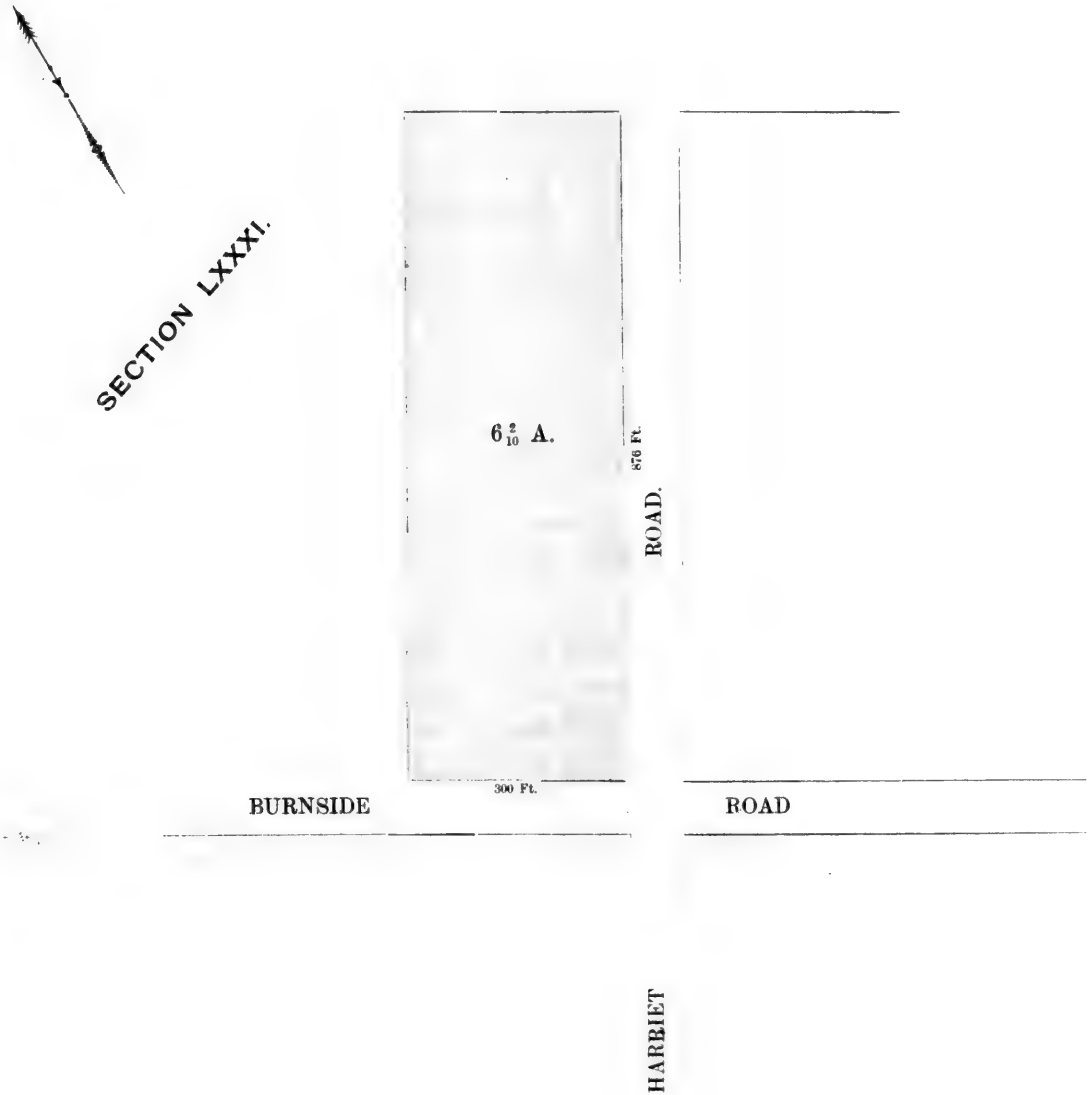


PROVINCIAL ARCHIVES OF B. C.

VICTORIA DISTRICT.

BURNSIDE ROAD.

LOT 8.—A freehold piece of land, situate on the corner of Burnside and Harriet Roads, in Victoria District, being portion of Section LXXXI, and having a frontage on Harriet Road of 876 feet, and a frontage to the Burnside Road of 300 feet, and containing 6. 2-10 acres, a most desirable plot of ground for a suburban residence and located at the corner of two of the principal roads of the district.


SECTION LXXXI.
6 2/10 A.
876 Ft.
ROAD.
300 Ft.
BURNSIDE
ROAD
HARBIET

SOOKE DISTRICT.

LOT 9.—A piece of land, situate in Sooke District, Vancouver Island, being Section LXVII, containing 8 acres, fronting on Sooke Harbor, being a most desirable site for a summer residence.

This land is held under a receipt for the purchase money paid to the Crown, dated 19th November, 1859—No. 253.

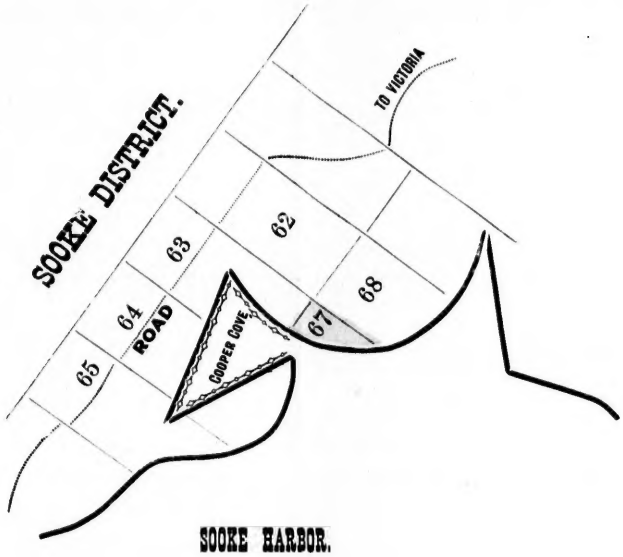
FORT HOPE.

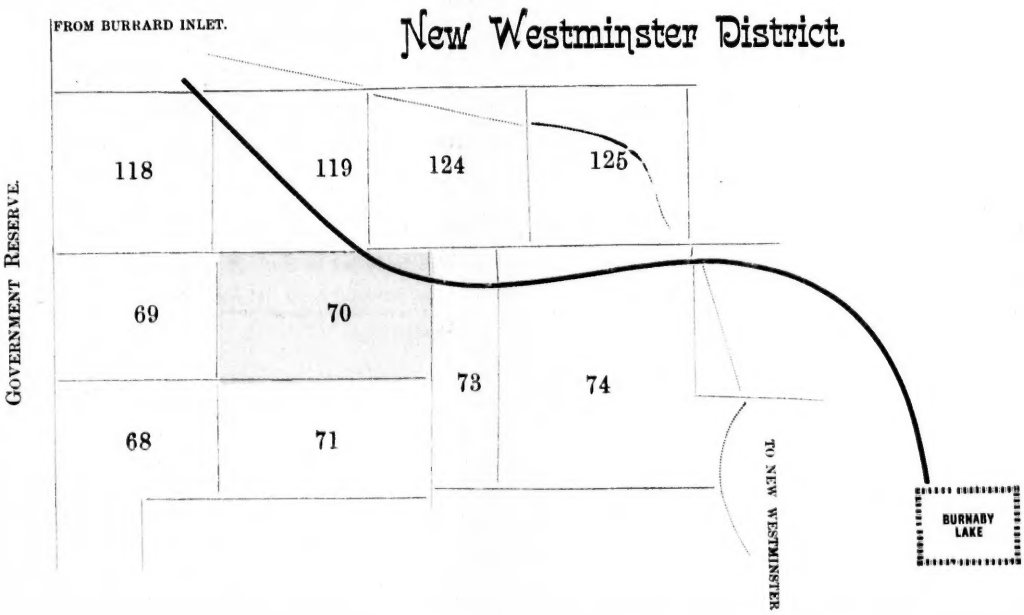
LOT 10.—A freehold plot of land, situate at Fort Hope, in British Columbia, and numbered Lot 2, Block 5, on the Official Plan or Survey. A plan will be exhibited at the time of the sale.

NEW WESTMINSTER DISTRICT.

LOT 11.—A piece of land in New Westminster District, being Lot 70 Group 1, containing 160 acres, situate near the New Westminster and Burrard Inlet Road, about two miles from the water frontage at Burrard Inlet. This property is in the best farming district in the Province, and lies adjacent to the Government Reserve, known as the Hastings Townsite. A small stream emptying into Burnaby Lake flows through this property.

This lot is held under a certificate of purchase from the Crown—No. 406—dated the 13th April, 1887, for $160; a receipt for $80 on account of the purchase money accompanies the certificate; and it will be sold subject to the claim of the Crown for the balance of the purchase money, viz: $80.00.


SOOKE DISTRICT.
TO VICTORIA
62
63
64
65
68
67
ROAD
COOPER COVE
SOOKE HARBOR.


New Westminster District.
FROM BURRARD INLET.
GOVERNMENT RESERVE.
118
119
124
125
69
70
73
74
68
71
TO NEW WESTMINSTER
BURNABY LAKE

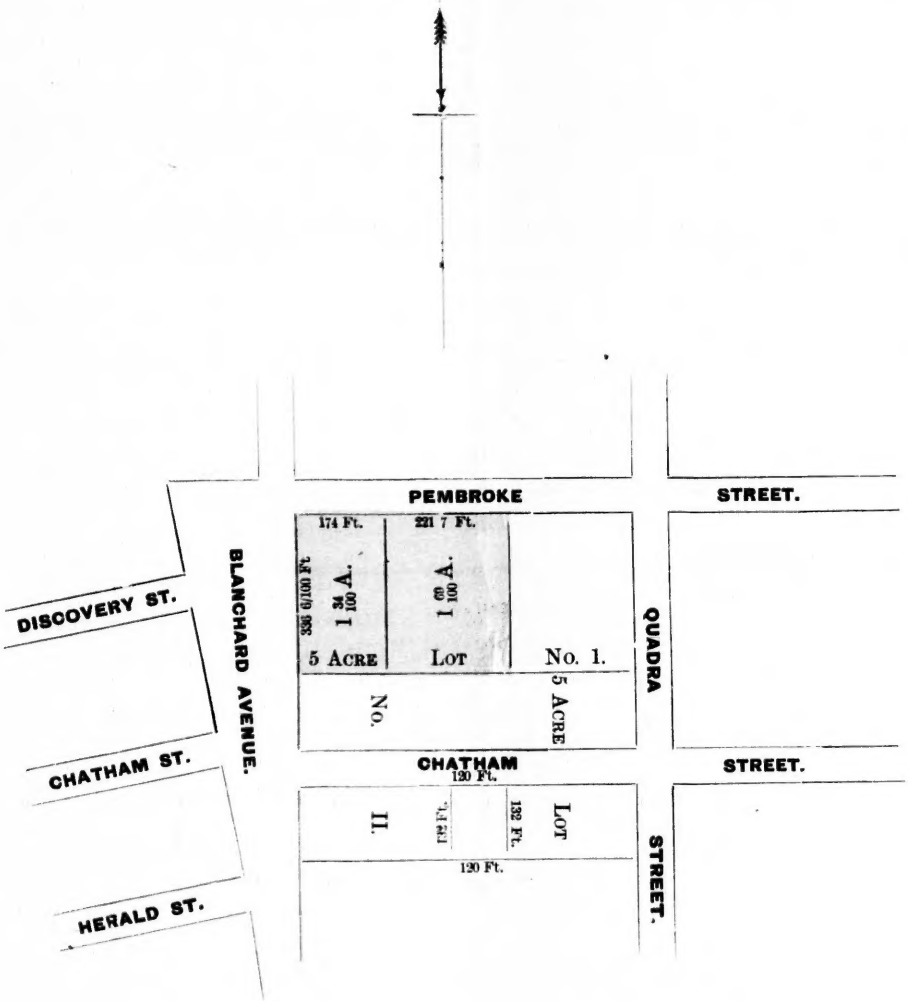
MAPLEHURST.

LOT 12.—A freehold mansion, messuage or dwelling house, called "Maplehurst," situate in the City of Victoria, consisting of a rectangular plot of land containing 1. 34-100 acres, parcel of Suburban Five-acre Lot 1, and having a frontage of 336.6-10 feet on the eastward side of Blanchard avenue, and 174 feet on the southward side of Pembroke street, and a large, commodious and elegant dwelling house containing 16 rooms, with the usual modern conveniences, including gas and water and out-buildings, lawn, shrubberies, orchard, flower and fruit garden, etc. This mansion was built by the late Henry Rhodes, Esq., for his family residence.

LOT 13.—A freehold rectangular plot of land containing 1.69-100 acres, situate in the City of Victoria aforesaid on the eastward side of and adjoining Lot. 12, and used and occupied therewith as a garden and shrubbery, having a frontage on the southward side of Pembroke street of 221.7 feet, and extending thence at right angl to the southern boundary of the said suburban Five-acre Lot 1, of which it is or was parcel. There is a cottage on this lot.

It is proposed to offer lots 12 and 13 together, and if not sold together, then to offer them separately.

The incumbrancer over this property having consented to the sale, the same will be sold free from incumberance.



PROVINCIAL ARCHIVES OF B. C.

abstract No. B.

CONDITIONS OF SALE

1. No person is to advance less at each bidding than the sum named by the auctioneer.

2. The sale is subject to a reserved bidding for each lot, which has been fixed by the judge, to whom this action is attached.

3. Each purchaser is at the time of sale to subscribe his name and address to his bidding in the bidding paper; and all abstracts of title, written notices, and communications, and summonses, are to be deemed duly delivered and served upon the purchaser by being left for him at such address, unless or until he is represented by a solicitor.

4. Each purchaser is at the time of sale to pay a deposit of 25 per cent. on the amount of his purchase money to the auctioneer.

5. The Registrar of the Court, at Victoria, will, after the sale, proceed to certify the result, and Wednesday, the 18th day o May, 1887, at 11 o'clock in the forenoon, is appointed as the time at which the purchasers may, if they think fit, attend, by their solicitors, at the Chambers of the said Judge, in the Supreme Court House, at Victoria, to settle such certificate. The certificate will then be settled; and will, in due course, be signed and filed, and become binding without further notice or expense to the purchaser.

6. The vendor is to deliver within three days after such certificate has become binding to each purchaser or his solicitor an abstract of the title to the lot or lots purchased by him subject to the stipulations contained in these conditions; and each purchaser is, within three days after the actual delivery of the abstract, to deliver at the office of Mr. Charles Wilson, Broughton street, Victoria, a statement in writing of his objections and requisitions (if any) to or on the title to the lot or lots purchased by him; and, upon the expiration of such last-mentioned time, and in this respect time is to be deemed of the essence of the contract, the title is to be considered as approved of and accepted by such purchaser, subject only to such objections and requisitions (if any.)

7. Each purchaser is, on or before the 31st day of May, 1887, to pay the amount of his purchase money (after deducting the amount paid as a deposit) into Court, to the credit of an account to be intituled "Proceeds of sale of the Testator's Real Estate," and if the same is not so paid, then the purchaser is to pay interest on his purchase money at the rate of 10 per cent. per annum from that day to the day on which the same is actually paid. Upon payment of the purchase money in the manner aforesaid, the purchaser is to be entitled to the rents and profits as from the day of sale, down to which time all outgoings are to be paid by the Receiver of the said estate.

8. If any error or mis-statement shall appear to have been made in these particulars regarding title or otherwise, such error or mis-statement is not to annul the sale nor entitle the purchaser to be discharged from his purchase, but a compensation is to be made to or by the purchaser, as the case may be, and the amount of such compensation is to be settled by the Judge at Chambers.

9. All facts or matters admitted or proved in the above-mentioned action of Naylor vs. Jackson and others, or certified by the Registrar of the Court, shall be deemed thereby conclusively evidenced.

10. The property is believed and shall be taken to be correctly described, and is sold subject to all easements (if any) subsisting therein; and the purchaser shall be deemed to buy with full notice of the state of the property as respects repairs, insurance and all other matters.

11. The purchaser shall not require from any conveying party any other covenant than a covenant that such party has not incumbered. Or require for any purpose the concurrence of any person in respect of any beneficial interest bound by the judgement or order for sale.

12. If the purchaser shall not pay his purchase money at the time above specified, or at any other time which may be named in any order for that purpose, and in all other respects perform these conditions, an order may be made by the Judge, upon application, for the resale of the lot purchased by such purchaser, and for payment by the purchaser of the deficiency (if any) in the price which may be obtained upon such resale, and of all costs and expenses occasioned by such resale.

BIDDING PAPER.

We, whose names are hereunder subscribed, respectively bid at the sale by auction in the above action, on the eleventh day of May, 1887, the sums set opposite to our respective names, for and become the purchasers of the respective lots specified in the particulars produced at such sale, the numbers of which are set opposite to our respective names, subject to the conditions also produced at such sale.

NUMBER OF LOT.	AMOUNT OF HIGHEST BIDDING.	SIGNATURES OF THE PURCHASERS OF THE LOTS SOLD.	PURCHASER'S ADDRESS AND QUALITY.